IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SEVENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION NO : 869 of 1998

Between:

1 M.Ramreddy S/o.Late M.Ramachandrareddy
Cheeponuthala (Village) Talaknodapally (Mandal)
Mahaboobnagar District.
2 M.Janardhan Reddy S/o. Late M.Ramachandraredd

Bairamalguda Saroornagar Mandal
R.R.Dist.
3 M.Madhusudhan Reddy S/o.Late M.Ramachandrareddy
Cheeponuthala (Village) Talaknodapally (Mandal)
Mahaboobnagar District.
4 M.Subhash Reddy S/o.Late M.Ramachandrareddy
Cheeponuthala (Village) Talaknodapally (Mandal)
Mahaboobnagar District.

..... PETITIONERS

AND

1 The District Collector
Mahaboobnagar District Mahaboobnagar
2 The Revenue Divisional Officer
Mahaboobnagar District Mahaboobnagar
3 The Mandal Revenue Officer
Talakondapally Mahaboobnagar District.
4 The Chief Engineer Minor
Irrgation Hyderabad
RR.4 & 5 impleaded as per court order dt:13.2.98 in wpmp.4541/98
5 The Executive Engineer I & CAD, M.I.Division
Nagarkurnool Mahaboobnagar Dist.
RR.4 & 5 impleaded as per court order dt:13.2.98 in wpmp.4541/98

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate Writ, Order or Direction, particularly one in the nature of Mandamus, declaring the action of the Respondents in not publishing the Draft Notification U/s.4(1) of the L.A.Act and not taking possession of the land by invoking Sec.17(1) of the L.A.Act and non-compliance of Sec.17-3 A of the L.A.Act and consequently trying to change the use of the land as being illegal, arbitrary and is in violation of Art.300-A of the Constitution of India, and consequently direct the Respondents not to alter the use of the land without complying with the mandatory provisions of the L.A.Act.

Counsel for the Petitioners: MR.S.ASHOK ANAND KUMAR

Counsel for the Respondents: GP FOR LAND ACQUISITION

The Court made the following :

ORDER:

This writ petition is filed seeking a writ of Mandamus declaring the action of the respondents in not publishing the Draft Notification under Section 4(1) of the Land Acquisition Act (for short 'the Act'), not taking possession of the land by invoking Section 17(1) of the Act and non-compliance of Section 17-3 A of the Act, as arbitrary and illegal and consequently, for a direction to the respondents not to alter the use of the land without complying with the mandatory provisions of the Act.

While issuing rule nisi, this Court by its order, dated 12-01-1998, directed the

respondents not to dispossess the petitioners from the petition lands otherwise than by due process of law.

In the light of the said interim orders, which might have worked out, I am of the view that no further orders are needed in this writ petition.

Accordingly, the writ petition is disposed of.

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07-12-2004

vs

To

1 The District Collector
Mahaboobnagar District Mahaboobnagar
2 The Revenue Divisional Officer
Mahaboobnagar District Mahaboobnagar
3 The Mandal Revenue Officer
Talakondapally Mahaboobnagar District.
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6 2CCs to the G.P for L.A, High Court Buildings, Hyderabad(O.U.T).

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